

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE UNITED STATES OF AMERICA

vs.

CASE NO.: 99-262-02(CCC)

ANTONIO RONDON-ACOSTA, a/k/a "Toño"
Defendant

MOTION REQUESTING MODIFICATION OF
SUPERVISED RELEASE CONDITIONS

TO THE HONORABLE CARMEN CONSUELO CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO:

COMES NOW, Luis O. Encarnación, U.S. Probation Officer of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Antonio Rondón-Acosta, who on August 16, 2001, was sentenced to sixty (60) months of imprisonment and four (4) years of supervised release after he pled guilty of violating Title 21, U.S.C. § 846. On January 15, 2004, the offender was released from the Hogar Crea CCC at which time his supervised release term began.

RESPECTFULLY INFORMING OF VIOLATION AS FOLLOWS:

1. VIOLATION TO SUPERVISED RELEASE CONDITION NUMBER 11: "THE DEFENDANT SHALL NOTIFY THE PROBATION OFFICER WITHIN SEVENTY- TWO HOURS OF BEING ARRESTED OR QUESTIONED BY A LAW ENFORCEMENT OFFICER."

On June 29, 2006, the offender was arrested by agents of the Police Department of Puerto Rico for violation of Law 54, Domestic Violence. He failed to report said arrest within seventy-two hours as ordered in his release conditions. During an office contact on August 1, 2006, the offender was confronted with his arrest. He accepted the incident and the violation. Therefore, Mr. Rondón voluntarily agreed to sign Probation form 49, Waiver of Hearing to Modify his release conditions to include a special condition as a sanction for violating his release conditions.

On September 19, 2006, the local case for violation of Law 54 was dismissed under local Rule 64N.

WHEREFORE, unless ruled otherwise, it is respectfully recommended to the Court that the offender's supervised release conditions be modified as follows:

"The defendant shall be placed in Home Confinement for a period of three months, to commence within thirty (30) days of the imposition of this condition. During this time, the defendant shall remain at his place of residence, except for employment or other activities approved in advance by the probation officer. The defendant shall maintain a telephone at his place of residence without any special features, modems, answering machines, or cordless telephones during the term of electronic monitoring. The defendant shall wear an electronic device and shall observe the rules specified by the probation office. He shall not leave the judicial district to which he is sentenced or released during the term of electronic monitoring. The defendant is ordered to pay the amount of \$3.26 for the cost of the Electronic Monitoring Device."

In San Juan, Puerto Rico, this 21st day of November 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Luis O. Encarnación
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 21, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which send notification of such filing to the following: David Rivera, Assistant U.S. Attorney, and María Del Mar Dávila-Rexach, Esq.

At San Juan, Puerto Rico, November 21st, 2006.

s/Luis O. Encarnación

Luis O. Encarnación

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